

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application : **10/567,037**

Applicant(s) : **Van De Sluis et al.**

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T.C./Art Unit : **2192**

Examiner : **Ziaul chowdhury**

Atty. Docket : **NL030930 [MS-479]**

Title: **METHOD OF PRESENTING A PLURALITY OF ITEMS**

REPLY BRIEF

Attn: Board of Patent Appeals and Interferences
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

This Reply Brief is being submitted in response to the Examiner's Answer that was mailed on November 23, 2010 in connection with the above-identified patent application, Appellants submit the following reply brief.

REMARKS

This Reply Brief is being submitted in response to the Examiner's Answer dated November 23, 2010. Reconsideration of this application is respectfully requested in view of the following remarks and all of the arguments in the Appeal Brief of December 13, 2010.

Regarding the rejection of Claims 1-3, 6, 8 and 9 under 35 U.S.C. §103(a) as being unpatentable over Nakajima et al. (US Patent No. 6008806) in view of Salmimaa et al. (US Patent Application Publication No. 2002/0160817-IDS of record).

With reference to claim 1, the Examiner cites Nakajima for disclosing

A. *A method of presenting a plurality of items, comprising the steps of: enabling a user to select an item in a selection context, (Col. 1, 66-67, and Col. 2, 1-4).*

Nakajima discloses configuration information about a content menu handler, registered in a database. A user makes a request (by selecting) and, in response to the request, the database is accessed to obtain configuration information about the context menu handler.

B. *a selection context representation representing the selection context, (Col. 2,: 6-7)*

In the context menus, a verb is an action that is performed in response to the selection of an associated menu item. For example, the menu item “Open” has an associated verb that opens the file or object.

With reference to claim 1, the Examiner cites Salmimaa for disclosing

C. *the selection context representation including at least a parameter indicating a geographical area. (Par. 11: 1-8)*

A third embodiment of the invention includes a mobile terminal configured with a microprocessor, a memory and a display device that displays a plurality of icons. The icons displayed on the display device using a display format (e.g., size) that relates to the degree with which each icon matches one or more context values, such as time of day, geographic location, or characteristics contained in the user's profile).

Appellants' have argued that Salmimaa does not include any discussion of selection context." The entirety of Salmimaa is directed to displaying icons based on a context value. The context value of Salmimaa may be weighted based on a geographical location of the device. However, what is completely absent from Salmimaa is a teaching or suggestion of a "selection context." That is, neither the context value nor the display of the icons has any relationship with a "selection context." See page 5, last paragraph of Appellant's Reply Brief.

In the Examiner's answer, at page 13, the Examiner states that the raised issues have been previously addressed in the Advisory Action (see page 2, 2nd par.) as well as in the final rejection. However, the Examiner provides his reasoning once more at page 13 of the Examiner's, repeated as follows.

The Examiner states that he disagrees with the Appellants because Salmimaa states "The user of the mobile terminal can select any object using a conventional keypad, cursor button, stylus, or the like. In one embodiment, an icon selector,, such as a magnifying glass

metaphor seen at the far right portion of Fig. 1, can be used to highlight and select a desired icon" – emphasis added (See Salmimaa, par. [0013]. "Icons that best match one or more context values [parameter] are represented in a display format that is enlarged in relation to other icons on the display device. The context values (representation of the presentation context) may include dynamically changing information, such as a current location of the user, so that as the user moves to a different geographic area, different icons are enlarged on the display device"- emphasis added (See Salmimma, par. [0009]).

That is to say, each icon presented on the mobile device represents a user selectable element (presented context), and each icon is displayed according to a the context value (parameter), wherein context value (representation of the presentation context) dictates the position and size of the icon to be displayed due to the context value (parameter). Furthermore, user may select a desirable item (icon) out of a plurality of items (icons) presented within an appropriate context (selection context); wherein the items are presented according to the context which is directly associated with time of day, geographical area, or user profile characteristic.

Salmimaa also states "The context bar (**selection context**) includes a plurality of display icons that are arranged in a horizontal, vertical or mixed fashion. Icons in the context bar (item in the selection context) are organized (representation of the presentation context) according to the degree to which they match one or more context values contained in the user's profile"- emphasis added (See Salmimaa par. [0010])

Therefore, it is clearly demonstrated that icons (items) are presented for the mobile user to select an icon (item) from the context bar (selection context), and which the icons (items) are presented according to the context value (contained in the user profile), wherein

the context value represents the representation of the context bar, and context values are directly associated or related to time of day, geographical area, or user profile.

“Selection context” as taught by Appellant’s invention

Appellants believe that the Examiner does not appreciate the meaning of the term “***selection context***”, as recited in the claims, and disclosed throughout Appellant’s specification. Apparently, the Examiner has interpreted the “selection context” as referring to a context bar including context values (presentation context). Appellant’s respectfully point out that the “***selection context***” refers instead to history information of the user’s previous selections of certain items at a certain geographical area at a certain time. For example, the selection context can refer to selections previously made by a user in a particular room in a house or at work. See for example, Figs. 3 and 4 of Appellant’s specification, which illustrate that those bookmarks that a user historically has used (i.e., previously selected) in a work environment, as shown in Fig. 3. Fig. 4 illustrates those websites most visited by a user in the past in the home. It should be noted that last visit information and visit count information is provided along with the items displayed, providing further evidence that the Appellants intended the list to be a sort of most frequently used (MFU) list in the context of a particular geographic region (e.g., work, home).

In operation, upon entering a particular room in a house, a display device could present small icons on the side of the screen of, for example, a cookbook, shopping list, newspaper, radio and calendar. Assuming these icons represent the most frequently (MFU) used in that geographic context. See Appellant’s specification, page 5: 20-26.

An associating means 17 associates an item (e.g., cookbook, shopping list, web page, newspaper, etc.) selected in a particular selection context (e.g., living room, den, kitchen).

And utilizes storage means 21 (e.g., a relational database) to store the association. In this manner, when a user selects a particular geographic region (selection context), the associations are retrieved from the database and shown to the user in the manner described above. An association may be stored along with usage statistics, e.g., a number of selections (historical) and/or a date of a most recent selection, as illustrated in Figs. 3 and 4. In this manner, the selection context refers to historical usage information. In essence, a portable device and method of the invention facilitate access to the most frequently used (MFU) applications or content items in a particular room of a house. Moreover, the selection context may include temporal considerations, such as, the time particular applications are used in a particular geographic location. For example, it may be the case that a word processor application is only used in the study in the evening hours.

For at least the foregoing reasons, it is respectfully submitted that the cited references, singularly or in combination, fail to anticipate or render obvious appellant's independent claims because Nagumo and Salmimaa, individually or in combination, fail to anticipate or render obvious appellant's independent claims, because Nagumo and Salmimaa do not teach or even suggest each and every claimed feature.

CONCLUSION

Appellants respectfully maintain that the rejections of claims are in error, legally and actually, and must be reversed.

Respectfully submitted,



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Atty. Docket No. NL 030930 [MS-479]

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